

APPENDIX I

HUD LEAD-BASED PAINT REQUIREMENTS

Summary of HUD's Lead-Based Paint (LBP) Requirements Affecting CDBG Housing Contracts

Requirements for

Single and Multi-Family Housing Rehabilitation Projects

and for

Homebuyer Assistance Projects

Using CDBG Funds

Appendix I: HUD LEAD-BASED PAINT (LBP) REQUIREMENTS

Please contact CDBG program staff if you have questions about these requirements.

HUD's LBP requirements **do not apply** if any one of the following exist:

- The structure was built after January 1, 1978; or
- Is officially certified as free of lead-based paint by an EPA-certified lead-based paint inspector; or
- A visual inspection identifies no deteriorated paint, and rehabilitation work shall disturb
 - ✓ less than two square feet (2 sq. ft.) of paint in any one interior room;
 - ✓ less than 10% of the total surface area on any interior component; and
 - ✓ less than 20 sq. ft. on exterior painted surfaces

Amount of CDBG Funds	Lead-Based Paint Requirements
A. Property receiving \$5,000 or less in rehabilitation work per unit	<ol style="list-style-type: none">1) <u>Notification:</u><ol style="list-style-type: none">a) Grantees must supply occupants with the lead information pamphlet (<i>Protect Your Family From Lead In Your Home</i>, http://www.epa.gov/lead/pubs/leadpdf.pdf) and document its delivery. See <u>Exhibit 2-X</u>, CDBG Manual.b) Grantees must notify owners of defective paint surfaces.c) Owners must disclose the presence of LBP to current and prospective homebuyers/occupants. See <u>Exhibit 2-Y.3</u>, CDBG Manual.2) <u>Paint Testing:</u> An EPA-certified LBP Inspector or Assessor must inspect the unit(s). Grantees may presume the presence of lead-based paint in lieu of conducting an inspection.ⁱ (See <i>Notes</i>, page I-4 below.)3) <u>Lead Hazard Reduction/Control:</u><ol style="list-style-type: none">a) HUD-qualified workers must perform the stabilization work (implementation of interim controls). These persons do not need to be EPA-certified LBP supervisors or workers.ⁱⁱ (See <i>Notes</i>, page I-4 below.)b) Use safe work practices during rehabilitation.4) <u>Clearance:</u> (Necessary only for the LBP hazard reduction work area.) An EPA-certified LBP Risk Assessor or Clearance Technician must certify the unit as safe for occupancy.ⁱ5) <u>Notification:</u> Owners, occupants, and prospective occupants or purchasers must be notified of the results of any lead hazard reduction work. See <u>Exhibit 2-Y.4</u>, CDBG Manual.

<p>B. Property receiving more than \$5,000 and up to \$25,000 in rehabilitation work per unit</p>	<ol style="list-style-type: none"> 1) <u>Notification:</u> <ol style="list-style-type: none"> d) a) Grantees must supply occupants with the lead information pamphlet (<i>Protect Your Family From Lead In Your Home</i>, http://www.epa.gov/lead/pubs/leadpdf.pdf) and document its delivery. See <i>Exhibit 2-X</i>, CDBG Manual. b) Grantees must notify owners of defective paint surfaces. c) Owners must disclose the presence of LBP to current and prospective homebuyers/occupants. See <i>Exhibit 2-Y.3</i>, CDBG Manual. 2) <u>Paint Testing:</u> An EPA-certified LBP Inspector or Assessor must inspect the unit(s). Grantees may presume the presence of lead-based paint in lieu of conducting an inspection.ⁱ 3) <u>Risk Assessment:</u> A Risk Assessment by an EPA-certified LBP Risk Assessor is required.ⁱ 4) <u>Lead Hazard Reduction/Control:</u> <ol style="list-style-type: none"> a) HUD-certified workers must perform the stabilization work (implementation of interim controls). These persons do not need to be EPA-certified LBP supervisors or workers.ⁱⁱ b) Use safe work practices during rehabilitation. 5) <u>Clearance:</u> The LBP hazard reduction work area must be cleared to assure it is safe for occupancy. An EPA-certified Risk Assessor or Clearance Technician must do the clearance.ⁱ 6) <u>Notification:</u> Owners, occupants and prospective occupants or purchasers must be notified of the results of any lead hazard reduction work. See Exhibit 2- Y.4, CDBG Manual. 7) <u>Ongoing LBP maintenance:</u> The owners of the property are responsible for maintaining the lead-free environment. If, upon annual inspection (<i>if such an inspection is required by the property's on-going funding sources such as the HOME Program</i>), the presence of chipping, peeling or cracking paint is identified, EPA-certified personnel must inspect and assess the lead risk in the unit; HUD-qualified workers must stabilize the deteriorated paint; and an EPA-certified person must perform clearance testing.
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<p>C. Property receiving more than \$25,000 per unit in rehabilitation work</p>	<ol style="list-style-type: none"> 1) <u>Notification:</u> <ol style="list-style-type: none"> a) Grantees must supply occupants with the lead information pamphlet (<i>Protect Your Family From Lead In Your Home</i>) and document its delivery. See <i>Exhibit 2-X</i>, CDBG Manual. b) Grantees must notify owners of defective paint surfaces. c) Owners must disclose the presence of LBP to current and prospective homebuyers/occupants. See <i>Exhibit 2-Y.3</i>, CDBG Manual. 2) <u>Paint Testing:</u> An EPA-certified LBP Inspector or Assessor must inspect the unit(s). Grantees may presume the presence of lead-based paint in lieu of conducting an inspection. ⁱ 3) <u>Risk Assessment:</u> A Risk Assessment by an EPA-certified LBP Risk Assessor is required. ⁱ 4) <u>Abatement (Removal) of LBP hazards:</u> <ol style="list-style-type: none"> a) Rehabilitation will include <u>mandatory abatement (removal or permanent covering) of all LBP.</u> b) EPA-certified persons must do all work. EPA-certified Inspectors, Risk Assessors, Supervisors and Workers are the only persons who may do work on a project involving greater than \$25,000 worth of rehabilitation on a unit. ⁱ Note: A HUD-qualified worker may do the abatement work, but an EPA-certified supervisor <i>must</i> be on the work site <i>at all times.</i> ⁱⁱ 5) <u>Clearance:</u> The LBP abatement work area must be cleared to assure it is safe for occupancy. An EPA-certified Risk Assessor or Clearance Technician must do the clearance. ⁱ 6) <u>Notification:</u> Owners, occupants and prospective occupants or purchasers must be notified of the results of any lead hazard reduction work. See <i>Exhibit 2-Y.4</i>, CDBG Manual. 7) <u>Ongoing LBP maintenance:</u> The property owners are responsible for maintaining a lead-free environment. If, upon annual inspection (<i>if such an inspection is required by the property's on-going funding sources</i>), the presence of chipping, peeling or cracking paint is identified, EPA-certified personnel must inspect and assess the lead risk in the unit; HUD-certified workers must stabilize the deteriorated paint; and an EPA-certified person must perform clearance testing.
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ⁱ To be considered an EPA-certified inspector, assessor, clearance technician or supervisor, one must complete a weeklong training course and successfully pass the EPA-administered exam.

ⁱⁱ HUD-certified workers must complete an eight-hour, HUD-sponsored lead safety-training program. Contact your CDBG Program Specialist for current information on HUD training, or go to: <http://www.leadsafetraining.org>